

TYLER DIVISION

Defendant.

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JURY TRIAL DEMANDED

Matthew C. Harris
Texas State Bar No. 24059904
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, TX 75601
(903) 757-8449 (phone)
(903) 758-7397 (fax)
mch@emafirm.com

Respectfully submitted,



Eric M. Albritton
Texas State Bar No. 00790215
Adam A. Biggs
Texas State Bar No. 24051753
Matthew C. Harris
Texas State Bar No. 24059904
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, Texas 75606
(903) 757-8449 (phone)
(903) 758-7397 (fax)
ema@emafirm.com
aab@emafirm.com
mch@emafirm.com

T. John Ward, Jr.
State Bar No. 00794818
Ward & Smith Law Firm
P.O. Box 1231
Longview, Texas 75606-1231
(903) 757-6400 (telephone)
(903) 757-2323 (facsimile)
jw@jwfir.com

Counsel for Aloft Media, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 31st day of July, 2009.



Matthew C. Harris